

**ENTERED**

September 19, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JUAN JOSE BALDERAS, JR.,

Plaintiff,

VS.

DAVID GONZALES, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00118

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

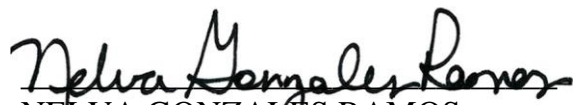
On August 13, 2024, United States Magistrate Judge Julie K. Hampton issued her “Memorandum and Recommendation” (D.E. 12), construing Balderas’s complaint as an application for writ of habeas corpus under 28 U.S.C. § 2241 and recommending that it be dismissed. Balderas was provided proper notice of, and opportunity to object to, the Magistrate Judge’s memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s memorandum and recommendation (D.E. 12), and all other relevant

documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Balderas's § 2241 petition (D.E. 1) is **DISMISSED** pursuant to the screening provisions in Rule 4 of the Rules Governing Section 2254 Cases, which also apply to this § 2241 petition.

**ORDERED** on September 19, 2024.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE